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RESOLUTION NO. 04-433

RESOLUTION OF FINDINGS OF ADVISABILITY
AND RESOLUTION AUTHORIZING IMPROVING
**WILLIAMSGATE/CAMDEN CHASE FROM THE EAST
LINE OF PECKHAM TO THE NORTH LINE OF 21ST
STREET, (NORTH OF 21ST, EAST OF 127TH STREET
EAST) 472-83644**, IN THE CITY OF WICHITA, KANSAS,
PURSUANT TO FINDINGS OF ADVISABILITY MADE BY
THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **WILLIAMSGATE/CAMDEN CHASE FROM THE EAST LINE OF PECKHAM TO THE NORTH LINE OF 21ST STREET, (NORTH OF 21ST, EAST OF 127TH STREET EAST) 472-83644**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolutions No. **03-490** adopted on **September 9, 2003**, No. **02-505** adopted on **November 19, 2002**, and No. **03-493** adopted on **September 9, 2003** are hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve **Williamsgate/Camden Chase from the east line of Peckham to the north line of 21st Street, (north of 21st, east of 127th Street East) 472-83644**.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **One Million Five Hundred Thousand Dollars (\$1,500,000.00)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **July 1, 2004**, exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

HAWTHORNE ADDITION

Lots 2 through 6, Block 6;
Lots 16 through 34, Block 6;

HAWTHORNE 2ND ADDITION

Lots 1 through 31, Block 1;
Lots 1 through 7, Block 2;

HAWTHORNE 3RD ADDITION

Lots 1 through 65, Block 1;
Lots 1 through 14, Block 2;
Lot 1, Block 3;
Lots 1 through 48, Block 4;
Lots 1 through 14, Block 5;
Lots 1 through 3, Block 6;

HAWTHORNE 4TH ADDITION

Lots 1 through 9, Block 1;

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Lot 2, Block 6; within Hawthorne Addition shall pay 264/10,000 of the total cost payable by the improvement district. Lot 3 through 6, Block 6; within Hawthorne Addition shall each pay 2/10,000 of the total cost payable by the improvement district. Lots 16 through 34, Block 6; within Hawthorne Addition shall each pay 109/10,000 of the total cost payable by the improvement district. Lots 1 through 28, Block 1; within Hawthorne 2nd Addition shall each pay 46/10,000 of the total cost payable by the improvement district. Lots 29 through 31, Block 1; within Hawthorne 2nd Addition shall each pay 31/10,000 of the total cost payable by the improvement district. Lots 1 through 7, Block 2; within Hawthorne 2nd Addition shall each pay 45/10,000 of the total cost payable by the improvement district. Lots 1 through 7, Block 1; within Hawthorne 3rd Addition shall each pay 20/10,000 of the total cost payable by the improvement district. Lots 8 through 21, Block 1; within Hawthorne 3rd Addition shall each pay 13/10,000 of the total cost payable by the improvement district. Lots 22 through 24, Block 1; within Hawthorne 3rd Addition shall each pay 17/10,000 of the total cost payable by the improvement district. Lots 25 through 31, Block 1; within Hawthorne 3rd Addition shall each pay 33/10,000 of the total cost payable by the improvement district. Lots 32 through 36; 39 & 40, Block 1; and Lots 4 through 10, Block 2; within Hawthorne 3rd Addition shall each pay 36/10,000 of the total cost payable improvement district. Lots 37, 38, & 41 through 49, Block 1; within Hawthorne 3rd Addition shall each pay 31/10,000 of the total cost payable by the improvement district. Lots 50 through 53, Block 1; within Hawthorne 3rd Addition shall each pay 35/10,000 of the total cost payable by the improvement district. Lots 54 through 56, Block 1; and Lots 1, 2, 3, 12, 13, & 14, Block 2; within Hawthorne 3rd Addition shall each pay 19/10,000 of the total cost payable by the improvement district. Lots 57 through 65, Block 1; within Hawthorne 3rd Addition shall each pay 40/10,000 of the total cost payable by the improvement district. Lot 11, Block 2; within Hawthorne 3rd Addition shall pay 28/10,000 of the total cost payable by the improvement district. Lot 1, Block 3; within Hawthorne 3rd Addition shall pay 45/10,000 of the total cost payable by the improvement district. Lots 1 through 6, Block 4; Lots 43 through 48, Block 4; Lots 9, 10 & 11, Block 5; within Hawthorne 3rd

Addition shall each pay 43/10,000 of the total cost payable by the improvement district. Lots 7 through 17; and 21 through 23, Block 4; within Hawthorne 3rd Addition shall each pay 41/10,000 of the total cost payable by the improvement district. Lots 18, 19 & 20, Block 4; within Hawthorne 3rd Addition shall each pay 77/10,000 of the total cost payable by the improvement district. Lots 24 through 42, Block 4; and Lots 12, 13 & 14, Block 5; within Hawthorne 3rd Addition shall each pay 40/10,000 of the total cost payable by the improvement district. Lots 1 through 8, Block 5; and Lots 1 through 3, Block 6; within Hawthorne 3rd Addition shall each pay 30/10,000 of the total cost payable by the improvement district. Lots 1 through 8, Block 1; within Hawthorne 4th Addition shall each pay 138/10,000 of the total cost payable by the improvement district. Lot 9, Block 1; within Hawthorne 4th Addition shall pay 4/10,000 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 17, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)